

Introduced by Senator Corbett

February 21, 2013

An act to add Chapter 8.7 (commencing with Section 44268) of Part 5 of Division 26 of the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 454, as introduced, Corbett. Air resources: electric vehicle charging stations.

Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), that authorizes, among other things, upon appropriation by the Legislature, a grant program to provide funding for homeowners who purchase a plug-in electric vehicle to offset costs associated with modifying electrical sources that includes a residential plug-in electric vehicle charging station.

Existing law also creates a grant program for the purchase and lease of zero-emission vehicles, as defined, in the state, to be developed and administered by the State Air Resources Board, in conjunction with the Energy Commission. The program provides grants to specified recipients in an amount equal to 90% of the incremental cost above \$1,000 of an eligible new zero-emission light-duty car or truck, as defined.

This bill would create the Electric Vehicle Charging Stations Open Access Act that would require, among other things, that an electric vehicle charging station that is installed in a public parking space be made available for use by the general public. The bill would provide that persons desiring to use the electric vehicle charging station shall not be required to pay a subscription fee in order to use the station, and shall not be required to obtain membership in any club, association, or

organization as a condition of using the station. The bill would also authorize an electric vehicle charging station to require additional out-of-network charges if those charges are disclosed to the public. The bill would require an electric vehicle charging station to provide one or more specified options of payment to the general public and would strongly encourage owners of electric vehicle charging stations in public parking spaces to clearly mark their charging stations with Department of Transportation approved signage at the station and at the entrance to the parking area or facility where the station is located.

The bill would require all electric vehicle charging stations in public parking spaces that provide electricity for a fee or monthly subscription to disclose to the public and the State Energy Resources Conservation and Development Commission the station's geographic location, including specific location in the parking lot or garage if applicable, accepted methods of payment, the amount of the fees or monthly subscription charged, any additional charges to nonmembers or out-of-network charges, and how a consumer can find out if the charging station is available. The bill would authorize the commission to provide this information to the National Renewable Energy Laboratory or other governmental entities for the purposes of compiling it and providing the information to the public.

The bill would also require the commission, on or after January 1, 2015, to adopt interoperability standards for network roaming payment methods for electric vehicle charging stations, and would require, if the commission adopts standards, all electric vehicle charging stations to meet those standards within one year. The bill would require the Department of Consumer Affairs to maintain a toll-free telephone number and e-mail address to collect complaints about electric vehicle charging stations from electric vehicle owners or drivers. The bill would authorize the department to respond to consumer complaints and would require the department to summarize those complaints by number and type of complaint and make the summary available to the public.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

1 (a) California is the nation's largest market for cars and
2 light-duty trucks.

3 (b) The transportation sector is the biggest contributor to
4 California's greenhouse gas emissions and accounts for
5 approximately 40 percent of these emissions.

6 (c) California should encourage the development and success
7 of zero-emission vehicles to protect the environment, stimulate
8 economic growth, and improve the quality of life in the state.

9 (d) In order to reach the goal of 1.5 million electric drive
10 vehicles in California by 2025, electric vehicle (EV) consumers
11 need confidence that they can access a robust network of EV
12 charging stations. Any EV driver should be able to access any
13 publicly available charging station, regardless of the system
14 provider.

15 (e) EV consumers and drivers need to be able to find the stations
16 and know how much they cost so that electricity can become a
17 reliable commodity as a transportation fuel. Consumers will gain
18 confidence from fuel pricing transparency and learn the key
19 advantage of a fuel which costs the equivalent of less than \$1 per
20 gallon of gasoline.

21 (f) It is the intent of the Legislature to promote a positive driving
22 experience to assist in the widespread deployment of electric
23 vehicles.

24 SEC. 2. Chapter 8.7 (commencing with Section 44268) is added
25 to Part 5 of Division 26 of the Health and Safety Code, to read:

26
27 CHAPTER 8.7. ELECTRIC VEHICLE CHARGING STATIONS OPEN
28 ACCESS ACT
29

30 44268. As used in this chapter, the following definitions shall
31 apply:

32 (a) "Battery" means an electrochemical energy storage system
33 powered directly by electrical current.

34 (b) "Battery charging station" means an electric component
35 assembly or cluster of component assemblies designed specifically
36 to charge batteries within electric vehicles.

37 (c) "Electric vehicle" means a vehicle that uses an electric motor
38 for all or part of the motive power of the vehicle, including battery
39 electric, plug-in hybrid electric, or plug-in fuel cell vehicle.

(d) “Electric vehicle charging station” means any public parking space located together with a battery charging station that supplies electricity for the purpose of recharging electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.

(e) “Interoperability standards” means the ability for a member of one electric charging station network to use another network.

(f) “Network roaming” means the act of a member of one electric charging station network using a charging station that is outside of the member’s network with his or her network account information.

(g) “Public parking space” means a parking space that is available to the general public and does not include a parking space that is part of, or connected to, a residence or for exclusive use of employees. Public parking spaces include, but are not limited to, onstreet parking, parking spaces at places of employment, office buildings, schools, hotels, airports, shopping centers, or restaurants. Nothing in this article limits the ability of the owner or lessor of the parking space from restricting use of the parking space.

44268.2. (a) An electric vehicle charging station that is installed in a public parking space shall be made available for use by the general public. Persons desiring to use the electric vehicle charging station shall not be required to pay a subscription fee in order to use the station, and shall not be required to obtain membership in any club, association, or organization as a condition of using the station. An electric vehicle charging station may require additional out-of-network charges if those charges are disclosed to the public. An electric vehicle charging station shall provide one or more of the following options of payment to the general public:

(1) Pay directly via credit card.

(2) Pay over the phone through a toll-free telephone number established and displayed on the charging station.

(3) Pay through a network roaming arrangement.

(b) All electric vehicle charging stations in public parking spaces that provide electricity for a fee or monthly subscription shall disclose to the public and the State Energy Resources Conservation

1 and Development Commission the station's geographic location,
2 including specific location in the parking lot or garage if applicable,
3 accepted methods of payment, the amount of the fees or monthly
4 subscription charged, any additional charges to nonmembers or
5 out-of-network charges, and how a consumer can find out if the
6 charging station is available. The commission may provide this
7 information to the National Renewable Energy Laboratory or other
8 governmental entities for the purposes of compiling it and
9 providing the information to the public.

10 (c) Owners of electric vehicle charging stations in public parking
11 spaces are strongly encouraged to clearly mark their charging
12 stations with Department of Transportation approved signage at
13 the station, and at the entrance to the parking area or facility where
14 they are located.

15 (d) On or after January 1, 2015, the commission may adopt
16 interoperability standards for network roaming payment methods
17 for electric vehicle charging stations. If the commission adopts
18 standards, all electric vehicle charging stations shall meet those
19 standards within one year. The commission may adopt standards
20 promulgated by an outside authoritative body.

21 (e) The Department of Consumer Affairs shall maintain a
22 toll-free telephone number and e-mail address to collect consumer
23 complaints about electric vehicle charging stations from electric
24 vehicle owners or drivers. The department may respond to
25 complaints. The department shall summarize the complaints by
26 number and type of complaint and make the summary available
27 to the public.